

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
EASTERN DIVISION**

**SAMUEL KEITH FULLER,  
individually and as executor of  
the Estate of James R. Fuller,  
deceased, et al,**

**Plaintiffs,**

**v.**

**ALABAMA DEPARTMENT OF  
TRANSPORTATION,  
by and through the Director of  
Alabama Department of  
Transportation, et al.**

**Defendants.**

**Civil Action No.:  
1:17-cv-01214-VEH**

**ORDER REMANDING CASE**

For the reasons stated in the memorandum opinion entered contemporaneously herewith, it is hereby **ORDERED, ADJUDGED, and DECREED** that the Plaintiffs' federal claim pursuant to 28 U.S.C. § 1983 is hereby **DISMISSED without prejudice**. Having dismissed all claims over which it has original jurisdiction, the Court declines to exercise supplemental jurisdiction over the remaining state law claim (28 U.S.C. § 1367(c)(3)) and **REMANDS** this case to the Circuit Court of Calhoun County, Alabama.

**DONE** and **ORDERED** this 29th day of August, 2017.

A handwritten signature in black ink, appearing to read "V. Emerson Hopkins", written over a horizontal line.

**VIRGINIA EMERSON HOPKINS**

United States District Judge